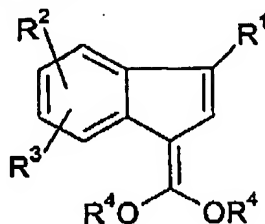


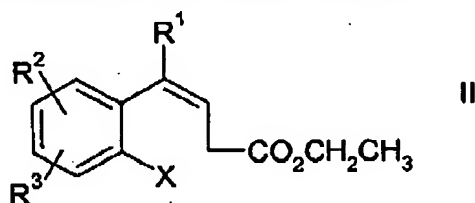
**EXPEDITED PROCEDURE**  
**AMENDMENT AFTER FINAL**  
**GROUP ART UNIT 1625**  
 Patent Application 10/714,735  
 Attorney Docket No. PC23270A

**IN THE CLAIMS (37 CFR 1.121 Revised)**

1. (currently amended) An improved process for preparing a compound of the formula



which comprises (a) conducting a solvent-free reaction between a compound of formula



and a monohydric alcohol of formula  $R^4$  OH wherein  $R^4$  is  $C_1$  to  $C_6$  alkyl or a dihydric alcohol wherein said dihydric alcohol is selected from the group consisting of ethylene glycol, 1,3-propylene glycol, and 1,2-propylene glycol, in the presence of sulfuric acid; and

(b) treating the reaction product with [a base] ammonium hydroxide and water to neutralize residual sulfuric acid;

wherein  $R^1$  is an electron withdrawing group selected from the group consisting of cyano, alkoxy-carboxyl, alkyl-carbonyl, aryl, nitro, trifluoromethyl, and sulfonyl;

$R^2$  and  $R^3$  are selected independently from hydrogen,  $C_1$ - $C_5$  alkyl,  $C_1$ - $C_5$  alkoxy, trifluoromethyl, halogen, sulfonyl alkyl, alkyamino, amide, ester, aryl-alkyl, and aryl-alkoxy;

[or  $R^2$  and  $R^3$  together with the carbon atoms to which they are attached form a monocyclic or bicyclic ring;]

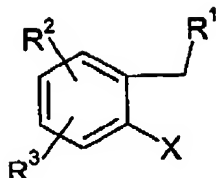
and X is selected from the group consisting of chlorine, bromine, and iodine.

2. (cancelled)

3. (currently amended) The process according to claim 1 wherein said compound of formula II is prepared by (a) reacting a compound of formula III

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III

with ethyl 3-ethoxyacrylate in the presence of a catalyst, wherein said catalyst is a mixture of palladium II acetate, tricyclohexylphosphine and [base] sodium t-butoxide; and an inert water miscible solvent selected from the group consisting of tetrahydrofuran, 2-methyltetrahydrofuran, and 1,2-dimethoxy ethane and (b) completely removing said solvent upon completion of said reaction, wherein said solvent is removed by distillation; wherein

R¹ is an electron withdrawing group selected from the group consisting of cyano, alkoxy-carboxyl, alkyl-carbonyl, aryl-carbonyl, aryl, nitro, trifluoromethyl, and sulfonyl; and X is selected from the group consisting of chlorine, bromine, and iodine; and

R² and R³ are selected independently from hydrogen, C₁ to C₅ alkyl, C₁ to C₅ alkoxy, trifluoromethyl, halogen, sulfonyl alkyl, alkyamino, amide, ester, aryl-alkyl, and aryl-alkoxy;

or R² and R³ together with carbon atoms to which they are attached form a monocyclic or bicyclic ring].

4. (cancelled)

5. (cancelled)

6. (cancelled)

7. (currently amended) The process according to claim [[6]] 3 wherein said dihydric alcohol is ethylene glycol.

8. (cancelled)

9. (currently amended) The process according to claim [[8]] 3 wherein said inert water miscible organic solvent is tetrahydrofuran.

10. (cancelled)

11. (previously presented) The process according to claim 1 wherein the compound of the formula I is 3-[1,3] dioxolan-2-ylidene-3H-indene-1-carbonitrile.

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12. (cancelled)

13. (cancelled)

14. (previously presented) The process according to claim 1 wherein said dihydric alcohol is ethylene glycol and said base is ammonium hydroxide.

15. (previously presented) The process according to claim 14 wherein said compound of formula I is 3-[1,3] dioxolan-2-ylidene-3H-indene-1-carbonitrile.

16. (previously presented) The process according to claim 3 wherein said catalyst is a mixture of palladium II acetate, tricyclohexylphosphine, and a sodium t-butoxide, said inert miscible solvent is tetrahydrofuran; and wherein said alcohol is a dihydric alcohol selected from ethylene glycol.

17. (previously presented) The process according to claim 16 wherein said compound of formula I is 3-[1,3] dioxolan-2-ylidene-3H-indene-1-carbonitrile.